

Reclassification

Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification



GOSHEN BROOK (COURTESY OF MARK NELSON)

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification


AGENCY OF NATURAL RESOURCES
 Department of Environmental Conservation

Information Form Submittal Instructions

- If submitting via US post:**

Mail to:

Watershed Planning Program
 One National Life Drive, Davis 3
 Montpelier, VT 05620

- Please submit a CD or flash drive for petitions that contain large files (1 MB or greater)

- **Information forms can also be submitted via email to the following address:**
- **Insert specialized email address** anr.wsmd@vermont.gov **with the Subject Line of “Reclassification Petition” or “Reclassification Application”**

1. Petitioner Name	Ripton Conservation Commission Mark Nelson, Chair		
2. Address	Street/P.O. Box		
	C/O Town of Ripton PO Box 10		
	Town	State	Zip Code
	Ripton	VT	05766
3. Phone of contact	802-388-2857		
4. Email of contact person	m.a.nelson@live.com		
5. Petition Form Preparer Name(s)	Mark Nelson		
6. Co-Sponsors	Ripton Conservation Commission Members Ripton Select Board		

7. Waterbody Name(s)	Goshen Brook			
8. Portion of waterbody for proposal	Location	Coordinates (click link to find)	Elevation (ft.)	Stream Reach ID
	Upstream	Latitude: 43.90632 N Longitude: 72.99002 W	2200	
	Downstream	Latitude: 43.94560 N Longitude: 72.98323 W	1000	
9. Proposal Type (<i>Check one</i>)	<input checked="" type="checkbox"/> Reclassification (stream/ river)		<input type="checkbox"/> Reclassification (lake)	

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification

**AGENCY OF NATURAL RESOURCES****Department of Environmental Conservation****Reclassification Only**

	Use:	Proposed:	Current Use:
10. Water body Use proposed to be reclassified, current, and proposed classification. See Vermont Water Quality Standards §29A-306 for description of each use	<input checked="" type="checkbox"/> Aquatic Biota	A(1) <input checked="" type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
	<input checked="" type="checkbox"/> Aquatic Habitat	A(1) <input checked="" type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
	<input checked="" type="checkbox"/> Aesthetics	A(1) <input checked="" type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
	<input type="checkbox"/> Fishing	A(1) <input type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
	<input type="checkbox"/> Swimming	A(1) <input type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
	<input type="checkbox"/> Boating	A(1) <input type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
	<input type="checkbox"/> Public Water Source	A(1) <input type="checkbox"/> A(2) <input type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	
Other	<input type="checkbox"/> <input checked="" type="checkbox"/> Riparian Habitat <input checked="" type="checkbox"/> Rare Species <input checked="" type="checkbox"/> Significant Natural Communities <input checked="" type="checkbox"/> Upland Uncommon Natural Community <input checked="" type="checkbox"/> Highest Priority Riparian Connectivity <input checked="" type="checkbox"/> Exemplary Surface Waters <input checked="" type="checkbox"/> Highest Priority Habitat Block, Connectivity Block, and Interior Forest Block	A(1) <input checked="" type="checkbox"/> A(2) <input type="checkbox"/> B(1) <input type="checkbox"/> B(2) <input type="checkbox"/>	

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification



AGENCY OF NATURAL RESOURCES

Department of Environmental Conservation

Reclassification Criteria	
11. List specific criteria per the Vermont Water Quality Standards (2017), Environmental Protection Rule Chapter 29A	<p>Aquatic Biota: Biological criteria (<i>see Appendix G. biocriteria for fish and macroinvertebrate communities in Vermont wadeable streams and rivers - Vermont Water Quality Standards, 2017</i>)</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Numeric water quality criteria (e.g., appended data records)<input checked="" type="checkbox"/> Documentation of Rare, Threatened or Endangered species<input checked="" type="checkbox"/> Documentation of Rare and Irreplaceable Natural Area or significant natural community<input checked="" type="checkbox"/> Documentation of numeric water quality chemistry (e.g., nutrient levels, turbidity, dissolved oxygen levels, alkalinity, pH)<input type="checkbox"/> Documented absence of toxic or radioactive substances<input checked="" type="checkbox"/> Undeveloped riparian zones<input checked="" type="checkbox"/> Limited human activity within the watershed <p>Aquatic Habitat:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Natural Flow Regime (<i>Documented attainment of hydrology and stream protection criteria - § 29A-304 of the Vermont Water Quality Standards, 2017</i>)<input type="checkbox"/> Temperature (data appended)<input checked="" type="checkbox"/> Documentation of Rare, Threatened or Endangered species<input checked="" type="checkbox"/> Documentation of Rare and Irreplaceable Natural Area or significant natural community<input checked="" type="checkbox"/> Undeveloped riparian zones<input checked="" type="checkbox"/> Limited human activity within the watershed<input type="checkbox"/> Other Aquatic Habitat Assessments (Describe or append assessment used) <p>Aesthetics:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Documented aesthetic qualities and characteristics<input checked="" type="checkbox"/> Documented water characteristics, flows, water level, bed and channel characteristics, and flowing and falling waters in their natural condition.<input type="checkbox"/> Documented maintenance of level of water quality that provides for the attainment and maintenance of the water quality standards of downstream waters (for lakes only). <p>Recreational Fishing:</p> <ul style="list-style-type: none"><input type="checkbox"/> Documented temperature in attainment with Cold Water Fish Habitat criteria (<i>for use in Wild Salmonid Stream re-classification petitions</i>)<input type="checkbox"/> Documented temperature in attainment with Cold Water Fish Habitat criteria (<i>temperature criteria in § 29A-302(B) of the Vermont Water Quality Standard</i>)<input type="checkbox"/> Measures of wild salmonid densities, biomass, and age composition consistent with those expected in waters in their natural condition.<input type="checkbox"/> Documented high incidence of accessibility to water

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification



AGENCY OF NATURAL RESOURCES

Department of Environmental Conservation

- ☐ Documented high use by anglers (i.e., fishing identified as existing use)
- ☐ Limited human activity within the watershed
- ☐ Upstream/ downstream use attainment

Recreational Boating:

- ☐ Boating to the full extent naturally feasible without degradation due to artificial flow and water level management or artificial physical impediments
- ☐ Boating to the extent feasible with no more than minor degradation due to artificial flow and water level management or artificial impediments, and with appropriate mitigation for artificial physical impediments
- ☐ Prospective waters shall comply with the Hydrology Criteria in § 29A-304 of the Vermont water Quality Standards with respect to any flow alterations
- ☐ Areas where existing boating use has been determined to be present and where, over some appreciable distance, certain features, free flowing water and/or notable whitewater or flat-water boating opportunities are found.

Recreational Swimming:

- ☐ Prospective waters achieve and maintain a level of water quality compatible with very good or excellent quality swimming and other primary contact recreation with negligible risk of illness or injury from conditions that are a result of human activities.
- ☐ Areas where existing swimming use has been determined to be present that have consistent *E. coli* values below *E. coli* criterion and which, over some appreciable distance, also possess certain high-quality features.
- ☐ Well-known locally or regionally as a swimming area;
- ☐ Documented pool(s) for swimming and/or water features that are enjoyable for swimming or bathing including chutes, cascades, waterfalls, cliffs, jumping rocks;

Public Water Source:

- ☐ Existing A(2) was never developed and/ or was developed but then abandoned
- ☐ or, prospective waters are currently managed, as necessary, for consistency with use as a public water source. Where sustained direct contact with the water occurs, waters shall be managed to achieve and maintain a negligible risk of illness or injury from conditions that are a result of human activities,
- ☐ or, prospective could be managed to achieve and maintain a uniformly excellent character and a level of water quality highly suitable for use as a public water source with filtration and disinfection or other required treatment.

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification



AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation

<p>12. Purpose and need for reclassification – i.e., why is the change in classification now warranted? (<i>summary</i>)</p>	<p>Ripton has some of the highest quality rivers, streams and wetlands in VT. These rivers, streams, and wetlands support a multitude of native plants and animals that depend on undisturbed high quality waters. In addition, these rivers, streams and wetlands provide opportunities for fishing and other recreation.</p> <p>The Vermont Surface Water Management Strategy (VSWMS) has three primary goals:</p> <ul style="list-style-type: none">• Protect, maintain, enhance, and restore the Biological, Chemical & Physical Integrity of all Surface Waters• Support the Public Use and Enjoyment of Water Resources• Protect the Public Health and Safety <p>Reclassifying the Goshen Brook from B(2) to A(1) supports the VSWMS by ensuring that this high quality stream is protected and maintained in its current condition.</p> <p>The reason for requesting the reclassification of Goshen Brook from B(2) to A(1) is to recognize the ecological value of these high quality waters and to ensure that the current conditions of excellent biological and chemical health and aquatic habitat are protected and preserved for the future. Goshen Brook is representative of some of the highest quality waters in Vermont. At elevation greater than 1500 ft, Goshen Brook is a headwater stream and the protection of its high water quality supports downstream water quality as it joins the South Branch of the Middlebury River. The South Branch of the Middlebury River flows into the Otter Creek Basin and this petition supports the goals of the Otter Creek Basin Plan. The Middlebury River running from Ripton through East Middlebury is listed as “Stressed” in the Otter Creek Basin plan and protections of the Goshen Brook will help minimize sediment flowing into this section of the Middlebury River. This will contribute to the clean up of Lake Champlain.</p> <p>Water quality monitoring by the Vermont Department of Environmental Conservation show the Macroinvertebrate Assessment and Fish Assessment to be in the Excellent category. Goshen Brook meets the definition of Biological Integrity. Goshen Brook is minimally impacted by human activity.</p> <p>This Petition has the support of the Ripton Select Board.</p>
<p>13. Town(s) adjacent to proposed waterbody (append letters of support from municipality and/or Regional Planning Commission and/or Natural Resource</p>	<p>Goshen, Hancock, Ripton</p>

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification

**AGENCY OF NATURAL RESOURCES****Department of Environmental Conservation**

Conservation District and/or watershed organization	
---	--

14. Potentially interested parties(abutting landowners, municipal and civic organizations, business interests, etc.). Provide names, address and phone numbers for each party.	Additional information should be attached and listed in box 16. Beaverbrook Corporation, C/O Rosalind Stowe Middlebury College Oliver Brooks, Jr. Elizabeth Brooks Joshua Brooks Thomas Brooks US Forest Service Ripton Select Board & Conservation Commission Addison County River Watch See Attach 9 for additional information
--	--

15. Supporting Documentation (maps can be created using the ANR Atlas)	Reclassification
	<i>Required</i>
	<ul style="list-style-type: none">• Map with location information and delineated area for petition with known public and private conserved land within the delineated area.• Water quality monitoring data• Rivers and streams• lakes and ponds
	<i>Recommended</i>
	One-page document describing: <ul style="list-style-type: none">• Existing zoning or protection at town level that may preclude or support designation Additional map(s) that include: <ul style="list-style-type: none">• Watershed boundary current land use and waterbody encroachments, including roads and structures• Water quality and quantity impacts, including wastewater and stormwater, physical alterations, and (if available) stream geomorphic condition

Reclassification Information and Petition Form

(per 10 V.S.A. § 1253)

Classification of waters designated, reclassification

**AGENCY OF NATURAL RESOURCES****Department of Environmental Conservation**

	<ul style="list-style-type: none"> Land parcels (conserved?) Photos of petition area Letter(s) of support
16. List of supporting materials attached	List attachment by number with names and dates: (ex. 1. Map of Waterbody to be Reclassified 4/5/2017; 2. Photographs of Waterbody for Reclassification 4/5/2017; 3. One Page Supporting Document 4/10/2017) Attach 1: Town Zoning & Landowners Attach 2: Plant list Attach 3: Watershed Important Characteristics Attach 5: Public Outreach Attach 6: Pictures Attach 7: VT DEC Monitoring Data Attach 8: Letter of support from Ripton Select Board & Conservation Commission Attach 9: Potentially Interested Parties Map 1 RTE, significant natural communities, deer wintering area Map 2 Elevation Map 3 Habitat blocks Map 4 Small Stream Designation Map 5 Surficial Geology Map 6 Water Quality Classification Map 7 Watersheds Map 8 Wetlands Map 10 Rare Species Map 11 Uncommon Natural Communities Map 12 Riparian Connectivity and Highest Priority Surface Waters Map 13 Highest Priority Connectivity Blocks Map 14 Highest Priority Interior Forest Blocks Map 15 Physical Landscapes Map 16 Landcover Map 17 Habitat Block Acres Map 18 Exemplary Surface Waters Map 19 Latitude & Longitude Map 20 Land Parcels
Lead Sponsor Information	
Lead Sponsor Name: Ripton Conservation Commission, Mark Nelson, Chair	
Address: C/O Town of Ripton, PO Box 10	
City/Town: Ripton	
State: VT	Zip: 05766
Phone: 802-388-2857	
Email Address: m.a.nelson@live.com	

Reclassification Information and Petition Form
(per 10 V.S.A. § 1253)
Classification of waters designated, reclassification

Lead Sponsor Signature:



Date: 2019-12-15

Co-sponsor Signatures

Name:

Organization:

Co-sponsor Signature:

Date:

Name:

Organization:

Co-sponsor Signature:

Date:

Name:

Organization:

Co-sponsor Signature:

Date:

Supporter Name:

Organization:

Co-sponsor Signature:

Date:

Supporter Name:

Organization:

Co-sponsor Signature:

Date: